



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

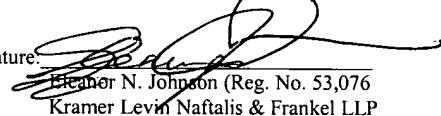
Appellants : Kenten et al.  
Serial No. : 09/480,544  
Filed : January 10, 2000  
For : Cycling DNA/RNA Amplification Electrochemiluminescent Probe Assay  
Group Art Unit : 1643  
Examiner : Chakrabarti, Arun K  
Confirmation No. : 4434

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 23, 2004.

Date: January 23, 2004

Signature:



Eleanor N. Johnson (Reg. No. 53,076  
Kramer Levin Naftalis & Frankel LLP

Mail Stop Appeal Brief - Patents  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 23, 2004

**PETITION FOR FIVE MONTH EXTENSION OF TIME**

Sir:

Applicants hereby petition the Commissioner for Patents under the provisions of

37 C.F.R. § 1.136(a) to extend the time for filing a Brief on Appeal in response to the Final Official Action mailed December 27, 2002. A Notice of Appeal was filed on June 23, 2003 and

Customer No. 35745

Docket No. 100390-9630

was received by United States Patent and Trademark Office on June 25, 2003. Therefore, the five (5) months extension of time is from August 25, 2003 to January 25, 2004. Under provision 37 C.F.R. § 1.17(a)(5), the required fee is \$1,005.00. A duplicate copy of this Petition is enclosed.

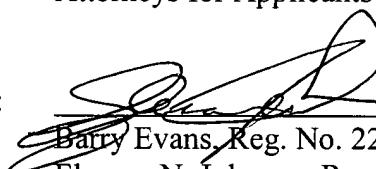
If there are any additional fees, please charge them to our firm Deposit Account No. 50-0540.

Dated: January 23, 2004

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP  
Attorneys for Applicants

By:

  
Barry Evans, Reg. No. 22,802

Eleanor N. Johnson, Reg. No. 53,076  
Kramer Levin Naftalis & Frankel LLP  
919 Third Avenue  
New York, NY 10022  
(212) 715-9100